

Memorandum from W. Fink of the VDC to Osdene, dated
September 16, 1981 (1000121264)

SUMMARY

In this memorandum, Fink reports to Osdene concerning the VDC Scientific Committee Meeting held in Hamburg on August 7, 1981. The subjects include: research projects on passive smoking, N-PAH projects, nicotine projects, and research concerning smoking and spermatogenesis.

With respect to nicotine projects, Fink explains that Dr. Adlkofer suggested the sponsoring of a doctorate thesis on the topic of the absorption of nicotine by pipe and cigar smokers. According to Fink, however, "PM rejects the suggestion that the project be carried out as a doctorate thesis because the results are not controllable by the industry."

Under the court's post-1966 ruling, this document should be excluded in its entirety, since it deals exclusively with industry research post-1966 and would not be relevant to the suppression of third party claims.

CROSS POINT

Harris cannot know what Fink meant by the use of the word "controllable" in this document. The document clearly indicates that the industry was sincerely interested in conducting the research. Accordingly, the best reading of this passage is that it concerns the industry's interest in having control over the research in order to ensure that (1) the proper research was conducted and (2) the research constituted good science. If the research was instead conducted by a doctorate student, the research might be flawed or sidetracked in an unanticipated direction of less relevance to the industry.

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